

Stephen G. Wilcox
State Bar Number 21454300
WILCOX LAW, PLLC
P.O. Box 201849
Arlington, TX 76006
(817) 870-1694 Telephone
swilcox@wilcoxlaw.net
ATTORNEY FOR RV DEPOT OF CLEBURNE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE: §
§
MARK RICE, § CASE NO. 23-42473-ELM-13
DEBTOR. §

NOTICE OF TERMINATION OF AUTOMATIC STAY

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Greig Automotive VI, Inc. dba RV Depot of Cleburne fdba Automaxx ("RV Depot"), and hereby certifies that Mark Rice ("Debtor") has defaulted under the terms of the entered Interim Order Regarding the Automatic Stay entered on September 7, 2023 regarding the following vehicles:

VEHICLE	VIN	CONTRACT DATE
2014 Peterbilt	1NPWD49X4ED241610	August 21, 2019
2014 Cottrell AC	5E0AA1440EG540001	August 21, 2019
2012 Peterbilt 388	1NPWD49X1CD155216	May 1, 2019
2012 Cottrell CX-7	5E0AC144XCG371502	May 1, 2019
2014 Peterbilt	1NPWE49X9ED241621	November 22, 2021

1. Per the terms of the entered Interim Order, Debtor was to provide proof of current insurance pursuant to the terms and conditions of the Contracts with regard to each item of the Collateral on or before 5:00 p.m. Central time, September 11, 2023. Debtor eventually provided the proof of insurance attached hereto as Exhibit "A" which does not provide for insurance for the 2012 Peterbilt or the 2012 Cottrell CX-7.

2. Further, per the terms of the entered Interim Order, on or before 5:00 p.m., Debtor was to provide an affidavit or declaration under penalty of perjury which detailed the current location of the Collateral. No such affidavit or declaration was provided. Per 28 U.S.C. §1746, an Unsworn declaration under penalty of perjury must contain the following: “I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)”. Counsel for RV Depot of Cleburne received the email attached hereto as Exhibit “B”. The “Declaration” was executed after the deadline for the receipt thereof and is not signed as required by 28 U.S.C. §1746. Is an unsigned email, not a proper declaration.

3. Therefore, pursuant to the default provisions of the Interim Order, the Automatic Stay has terminated with respect to RV Depot of Cleburne and the above listed vehicles.

Respectfully submitted,
/s/ Stephen G. Wilcox
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice of Termination of Automatic Stay was served by FIRST CLASS MAIL, POSTAGE PRE-PAID on:

Mark Rice
752 W. Main, No. 1418
Mansfield, TX 76063

and by ELECTRONIC FILING on:

Marcus Leinart
10670 N. Central Expressway, Suite 320
Dallas, TX 75231

Tim Truman
6851 N.E. Loop 820, Suite 300
North Richland Hills, TX 76180

on September 15, 2023.

/s/ Stephen G. Wilcox
Stephen G. Wilcox

8361-00009-569434